

Exhibit B

Trial Exhibit No.	Description	Objections Lodged in ECF No. 760	Chart's Statement for why the Plaintiffs' trial exhibit is an improper basis for Plaintiffs' expert's inadmissible "state of mind" opinions
2	Defendant Chart Inc.'s Answers to Plaintiffs' Interrogatories (Set 7), signed October 5, 2020.	Irrelevant, prejudice outweighs probative value (401/402/403)	<p>In his Nov. 20, 2020 expert report, Kasbekar relies on this document to conclude, "Chart had a history of Controller malfunctions that date back at least 2016, over 2 years prior to the date of the PFC incident." (p. 7)</p> <p>This is inadmissible expert testimony of knowledge, intent, motive, and character.</p>
5	Defendant Chart, Inc.'s Answers to Plaintiffs' Requests for Admission (Set 5), signed October 5, 2020.	Irrelevant, prejudice outweighs probative value (401/402/403)	<p>In his Nov. 20, 2020 expert report, Kasbekar relies on Chart's answers to RFA Nos. 14-16 to conclude that, prior to the March 4 incident, "Chart knew that leakage of vacuum space followed by expansion from liquid to gas as the tank warmed over time would result in the subsequent implosion or collapse of the inner vessel." (p. 60).</p> <p>He further relies on Chart's answers to RFA No. 4, 5, 7, 8 and 9 to conclude that "Chart had a history of Controller malfunctions that date back at least 2016, over 2 years prior to the date of the PFC incident." (p. 7)</p> <p>This is inadmissible expert testimony of knowledge, intent, motive, and character.</p>

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192	Risk Assessment Form (CHART001432)	Irrelevant (401/402), Confusion/Prejudicial (403), Hearsay (801/802)	<p>Risk analysis of cryogenic freezers.</p> <p>In his Nov. 20, 2020 expert report, Kasbekar relies on this document to conclude that, prior to the March 4 incident, “Chart knew that leakage of vacuum space followed by expansion from liquid to gas as the tank warmed over time would result in the subsequent implosion or collapse of the inner vessel.” (p. 60).</p> <p>This is inadmissible expert testimony of knowledge, intent, motive, and character.</p>
208	Chart Email Chain - RE: Ceva Biomune freezer picture & information (Case 336375) (CHART008310)	Not substantially similar (MIL 1, 403), Irrelevant (401/402), Confusion/Prejudicial (403), Other Acts (404), Hearsay (801/802)	<p>Hearsay email chain from 2016 that originates with a report from the field of an issue with a MVE 1839AF-GB tank. The tank was reported to have been moved with a “forklift” with LN2 inside and that the cause of the “vacuum failure” incident was this “transfer.”</p> <p>In his Nov. 20, 2020 expert report, Kasbekar relies on this document to conclude that, prior to the March 4 incident, “Chart knew that leakage of vacuum space followed by expansion from liquid to gas as the tank warmed over time would result in the</p>

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			<p>subsequent implosion or collapse of the inner vessel." (p. 60).</p> <p>This is inadmissible expert testimony of knowledge, intent, motive, and character.</p>
234	Chart Email Chain – RE: 1536P, S/N – CVCU06J102 (CHART034331-3)	Not substantially similar (MIL 1, 403), Irrelevant (401/402), Confusion/Prejudicial (403), Other Acts (404), Hearsay (801/802)	<p>Email chain from 2015 of containing double hearsay related to troubleshooting communications about end-user customer controller issue on Model 1530 tank in Australia. No root causes identified.</p> <p>In his Nov. 20, 2020 expert report, Kasbekar relies on this document to conclude, "Chart had a history of Controller malfunctions that date back at least 2016, over 2 years prior to the date of the PFC incident." (p. 7)</p> <p>This is inadmissible expert testimony of knowledge, intent, motive, and character.</p>
275	Chart Email Chain - FW: Chart Tank Evaluation: nexAir - 1426F-CDC Freezer - Case 829912 - RMA 283851 (CHART070706-24)	Not substantially similar (MIL 1, 403), Irrelevant (401/402), Confusion/Prejudicial (403), Other Acts (404), Hearsay (801/802)	<p>Email chain from 2019 and 2020 with hearsay communications between customer and Chart regarding Model 1426F tank vacuum failure and implosion in field at end user facility. Possible causes discussed by customer but no root cause identified.</p> <p>Discussion of tank warranty issue, which the Court has previously excluded.</p>

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			<p>In his Nov. 20, 2020 expert report, Kasbekar states that this document reveals Chart's knowledge of other failed and deformed tanks. (p. 6)</p> <p>This is inadmissible expert testimony of knowledge, intent, motive, and character.</p>
276	Chart Case file, Case #856244 (CHART070725-33)	Not substantially similar (MIL 1, 403), Irrelevant (401/402), Confusion/Prejudicial (403), Other Acts (404), Hearsay (801/802)	<p>Email chain discussing same "other occurrence" as that excluded in Trial Exhibit 274 as set forth in Court's April 30, 2021 Order [ECF No. 777].</p> <p>Email chain from 2020 with hearsay communications between customer and Chart regarding model 205 tank vacuum failure and implosion in field at end user facility. Possible causes discussed by customer but no root cause identified.</p> <p>Discussion of tank warranty issue, which the Court has previously excluded.</p> <p>In his Nov. 20, 2020 expert report, Kasbekar states that this document reveals Chart's knowledge of other failed and deformed tanks. (p. 6)</p> <p>This is inadmissible expert testimony of knowledge, intent, motive, and character.</p>